

Case 7:14-cv-00485-JPJ-RSB Document 2 Filed 09/12/14 Page 1 of 2 Pageid#: 174

Circuit that the claims in the motion meet certain criteria. See 28 U.S.C. § 2244(b). The petitioner previously filed a § 2254 petition concerning this same conviction and sentence. See *Anderson v. Dir. of Dep't of Corr.*, No. 7:12-cv-00323 (W.D. Va. Aug. 8, 2012) (dismissing § 2254 petition as untimely filed), *appeal dismissed*, 502 F. App'x 261 (4th Cir. 2012) (unpublished). The petitioner offers no ground on which his current petition does not qualify as a second or successive § 2254 petition.³ Moreover, he presents no evidence that he has obtained certification from the court of appeals to file a second or successive § 2254 petition. Therefore, I must dismiss his current action without prejudice.

A separate Final Order will be entered herewith. The clerk will send a copy of that Final Order and this Opinion to the petitioner.

DATED: September 12, 2014

/s/ James P. Jones
United States District Judge

³ Petitioner has purportedly recently discovered evidence in the record of his criminal proceedings indicating that he suffered from severe brain injuries. I find no basis on which such evidence prevents dismissal of his petition as successive.